

Tiverton Town Council Landfill Subcommittee

Regular Meeting Minutes: February 20, 2008

I: Call to Order

Chairman Edwards called the meeting to order at 3:15 PM at the Tiverton Town Hall.

Members present: J. Edwards (Chairman), T. Ramotowski, J. Fernandes, D. Wilbur, R. Hart, S. Berlucchi (Director of Public Works), and G. Steckman (Town Administrator).

Also present: M. Pobzeznik (*Newport Daily News*), and J. Goncalo.

II: Introduction of New Chairman

Councilor J. Edwards was introduced as the new Chairman of the Subcommittee.

III: Introduction of New Director of Public Works

Mr. S. Berlucchi was introduced as the new Director of Public Works for the Town of Tiverton.

IV: Additions/Changes/Acceptance of Agenda

The agenda for the meeting was accepted without any changes.

V: Public Input

There was no input from members of the public.

VI: Review of Pare Engineering Reports

Mr. Berlucchi distributed copies of the landfill groundwater monitoring report for the third quarter of calendar year 2007 ((July-September), prepared by Pare Engineering. Compliance wells OW-12, OW-13, and OW-15 were sampled; compliance well OW-14 was found to be dry at the time of the sampling, as was the background well, OW-9. Testing revealed that one target metal, arsenic, was present in the groundwater from OW-13 and OW-15 above its tolerance limit; in addition, two other target metals, cadmium and cobalt, were present in the groundwater sample from OW-15 above their tolerance limits. The VOCs

chlorobenzene and MTBE were detected at both OW-13 and OW-15; chloroethane, and 1,4-dichlorobenzene were also detected at OW-15.

Mr. Berlucchi stated that the report for the 4th quarter of 2007 testing should be available next month.

Mr. Steckman distributed copies of a second report prepared by Pare Engineering titled, "Tiverton Municipal Sanitary Landfill Updated Landfill Closure Costs," dated 19 February 2008. Mr. Steckman stated that this report had been requested by the Town's auditors, and was prepared at a cost of about \$2,500.00. The report reviews four alternatives for landfill closure. Mr. Steckman stated that he had asked Pare to consider creative ways for the Town to cap and close the landfill, such as the construction of a golf course or some other kind of recreational facility on the capped landfill. It is unclear if there will be funds available from the State to assist with closure costs. The cost for landfill closure under the four alternatives varied from \$6,900,000.00 to \$8,200,000.00. The cost differences were mainly due to how the landfill would be capped, and some of the newer materials proposed for the impermeable liners would require RI-DEM approval.

Mr. Berlucchi asked if there was enough land at the landfill for the construction of a golf course. Mr. Steckman stated that a full-size golf course would need 80-90 acres, and only about 40 acres are available, so only a nine-hole course could be built, or possibly an 18-hole par-3 course. Mr. Hart asked if a campground could be built on the site, and if such a land-use could even generate some revenue for the Town. Mr. Steckman stated that wind-powered electrical generators were also a possibility. Mr. Hart stated that he believed a study of wind speeds had been made some years ago, and the conclusion was that wind-powered generators would not be viable. Mr. Ramotowski asked if there were *any* examples in Rhode Island of a community successfully developing *anything* – golf course/campground/windmill farm – on the location of their closed and capped municipal landfill.

Mr. Ramotowski asked if the Town had paid its contribution to the landfill closure account for the 2007-2008 fiscal year yet. Mr. Steckman replied that it had already made the payment to the restricted landfill closure account, which currently totals \$3,109,658.00. Mr. Steckman stated that the Town needed to look into how the money in this account was being invested in order to get the highest possible return. It is unclear if the money in this account could be invested in anything but Government-backed securities. The money is currently earning 4%-5% interest, but when the current CDs expire, those rates will undoubtedly go down.

Mr. Ramotowski stated that he was disappointed that the Town continued to underfund this account. The money being put into the account each year hasn't changed since the early 1990s. Mr. Ramotowski stated that he doubted anyone

would be willing to help with the closure costs – betting that a golf course or some other project will help pay the costs just isn't reasonable. That, combined with the chronic underfunding means that the Town is going to have to bond the costs associated with landfill closure – a very unfortunate development, because landfill closure is not a long-term investment, but rather a day-to-day operating cost that has been passed on to future taxpayers who will not have received any benefit from the expenditure.

Chairman Edwards asked if the Town received any money from its recycling program. Mr. Steckman replied that it does receive some money, but the amount is rather small – around \$15,000.00 per year. Recently, the amount of scrap metal being deposited at the landfill has dropped – possibly because the price paid by scrap yards has gone up, and people are taking their scrap metal directly to such businesses. Mr. Berlucchi noted that Patriot, the Town's trash disposal contractor, is now paid a set fee for each bulky waste item they collect (such as old appliances, etc.). Previously, these collections were carried out by DPW workers. The Town does not charge residents for these collection activities, and the cost to pay Patriot for them comes directly out of the money the Town receives from its scrap metal recycling operations. The Town had considered charging residents a fee for each bulky waste item picked up, but the Town Council decided not to approve such a fee. Perhaps that decision needs to be reconsidered. Chairman Edwards stated that he doubted the Town Council would support the implementation of such a fee at this time. Mr. Ramotowski noted that Patriot picks up and drains refrigerators and air conditioners of the freon they contain under this same contract. Additional costs would be incurred if the Town had to undertake that task – both in equipment and labor. Mr. Berlucchi noted that the Town also pays a small monthly fee to rent the large dumpsters into which the scrap metal items are collected. Mr. Ramotowski stated that dumpsters were a RI-DEM requirement – RI-DEM had objected to the previous practice of collecting the scrap metal in piles on the ground.

VII: Proposed Reduction in Annual Contribution to Landfill Closure Account

Mr. Steckman distributed a copy of a letter he had sent to RI-DEM asking for permission for the Town to lower its yearly contribution to the restricted landfill closure account from \$168,304.00 to \$100,000.00 for the upcoming fiscal year. Mr. Steckman stated that this would be a one-time reduction only in view of the fiscal hardship the Town is facing next year.

Mr. Ramotowski stated that he objected to this approach, because the closure account was underfunded even at the “full” rate. In addition, this approach, if approved by RI-DEM would mean that the Town would have to find about \$70,000.00 in new funds in the following year's budget just to get us back to where we were previously with the closure account. Town finances probably will not improve significantly, so where will the \$70,000.00 come from to restore the

amount being removed from this line item? Once money is taken from an account, it is very difficult to replace it .

VIII: Update on Proposed Changes to Patriot Contract

Mr. Steckman reported that a variety of different options are being explored with Patriot Disposal in order to reduce the amount of money the Town pays to dispose of its trash and recyclables. One option is to use the trucks with the robotic arm that lifts and empties trash barrels. This approach saves money, because only one person is needed on the trash truck – the driver operates the vehicle and the robotic arm. Mr. Fernandes pointed out that this approach has high up-front costs for the contractor and the Town. Different trucks are needed, and special trash cans and recyclable bins would have to be purchased.

Mr. Steckman stated that he and Mr. Berlucchi had gone over the Town's contract with Patriot Disposal to see if there were any other areas where the Town could negotiate with the company to save some money. Mr. Steckman noted that the cost for trash disposal will go up by 3.4% according to the contract, and presently, that increase was not included in the budget for next year. The increase will need to be covered by cost savings. Chairman Edwards asked what set the percent increase. Mr. Steckman stated that it is set by contract by the consumer price index (CPI).

Mr. Steckman noted that the DPW was now purchasing fill for use as daily cover at the landfill, and that those costs were adding up. Mr. Berlucchi noted that some additional material was being received from the pond dredging operation in Little Compton. Mr. Hart asked if the Pardon Gray Preserve could be tapped for fill from the site that was formerly used as a gravel pit.

Mr. Berlucchi asked if the Town advertised for bids for the landfill cover material. Mr. Steckman stated that the bulk of the material used as cover at the landfill was obtained for free from various construction projects underway in and around the Town. In addition, the landfill accepts road sweepings from Town and State roads. Mr. Ramotowski stated that he objected to the acceptance and use of road sweepings at the landfill, because the material is not tested for contamination. All other sources of cover material are tested before they are accepted and used at the landfill.

IX: Subcommittee Member Items

Mr. Steckman stated that some clarification was needed regarding the part of the Solid Waste Management Ordinance as it pertains to removal of items from the landfill. Specifically, section 66-83 of the ordinance states that, "No person shall remove any waste deposited at the landfill without permission from the Director of Public Works or the landfill supervisor." Some clarification is needed here, because some people do remove items deposited at the landfill. Under what circumstances does the Subcommittee want the DPW director or landfill

supervisor to allow individuals to remove items from the landfill? Recently, an individual was cited under this section of the ordinance for removing a bicycle that had been discarded at the landfill. The case had to be processed through municipal court, and might not have been worth the effort and expense.

Mr. Ramotowski stated that he had no problem with someone taking a bicycle from the landfill that the person thought he could fix for his child, etc., as long as permission was sought and granted. Section 66-83 is in the Solid Waste Management Ordinance to prevent someone from removing valuable items, such as scrap metal, in large amounts to sell for personal gain. If such items are deposited at the landfill, the Town should be the beneficiary of the money obtained by their sale as scrap. The landfill supervisor should exercise his judgement on a case-by-case basis. If the same individual is constantly taking items of potential value, that would constitute a violation of the ordinance. Mr. Wilbur noted that scavenging could be a problem from a different perspective. Now, scrap metal is placed in large metal dumpsters, rather than on the ground in a pile (as had been the policy in the past). A scavenger could easily hurt himself while trying to get into, or remove items from, these dumpsters. Thus, there is a liability issue for the Town as well.

Chairman Edwards asked who was going to check on the numbers for the Patriot Disposal and Mid-City Scrap contracts to see if any additional money could be saved on behalf of the Town. Mr. Berlucchi suggested that the Town advertise and solicit bids from a variety of companies for its scrap metal. Mr. Steckman pointed out that the scrap metal sales currently “fund” the large bulky item pick-up service at no cost to town citizens. If more of that money was diverted into the Town’s general fund, then the Town would probably have to charge people for the bulky waste item pick-up service.

Mr. Berlucchi stated that he had been told by the landfill supervisor that there are some individuals who own large pick-up trucks and who dump full loads of trash 2-3 times a week at the landfill. Obviously, these individuals are not generating all of that trash each week at their residence. What does the Subcommittee want the DPW to do about this? Mr. Steckman stated that people should be limited to one trip each week – remember, regular trash is collected curbside from Town residences – so this material is not coming from Tiverton residences.

Mr. Ramotowski stated that a policy and some direction was needed concerning the disposal of small fluorescent light bulbs at the landfill. These bulbs have become quite popular recently, because they use much smaller amounts of electricity, and supposedly last for years. Unfortunately, they contain a small amount of mercury vapor, which is released to the environment when they are crushed or broken. We need to make sure these bulbs – and all other fluorescent bulbs – are not deposited at the landfill. There needs to be some kind of State-wide recycling program for them.

X: Date of Next Meeting

It was the consensus of the Subcommittee that its meeting would be held on the third Wednesday of each month at 3:00 PM at the Town Hall.

XI: Adjournment

There being no further business to discuss, the Landfill Subcommittee's February 20, 2008 regular meeting adjourned at 4:50 PM.

These minutes were recorded and compiled by T. Ramotowski